

BEST AVAILABLE COPYRemarks

In the subject Action, the Examiner rejected claims 11-23 under 35 U.S.C. 112, second paragraph, as being indefinite. Applicant respectfully traverses this rejection and requests reconsideration in view of the above amendments and the reasons set forth below.

Claim 11 has been amended to emphasize that the seat is mounted on the recited portion in a manner that defines at least one point of overlap that moves through an elliptical path.

Claim 17 has been amended to emphasize that the seat is mounted on the recited portion in a manner that defines at least one point of interconnection that moves through an elliptical path.

Claim 15 has been amended to recite a seat supporting link movably interconnected between the rocker link and the crank.

Claim 23 has been amended to recite force receiving means for receiving user supplied force to facilitate over center movement of the seat. For the record, this "means for encouraging" or "force receiving means" is described in the paragraph that begins at the top of page 7 of the specification.

Next, the Examiner rejected claim 16 under 35 U.S.C. 102(a) as being anticipated by U.S. Pat. No. 5,836,855 to Eschenbach and/or by U.S. Pat. No. 6,409,635 to Maresh et al. Applicant respectfully traverses these rejections and requests reconsideration in view of the above amendments and the reasons set forth below.

Claim 16 has been amended to emphasize that the elliptical motion linkage assembly is interconnected between the seat and the

BEST AVAILABLE COPY

frame in a manner that guides at least a portion of the seat through an elliptical path of motion. Applicant respectfully submits that neither cited reference teaches or suggests such an arrangement.

Having addressed the issues raised in the subject Action, Applicant respectfully requests reconsideration and allowance of the subject application. Should any issue remain unresolved at this time, the Examiner is always welcome to contact Applicant's undersigned representative by telephone to discuss same.

Respectfully submitted,

MAK
Mark A. Krull
Reg. No. 34,205

(541) 385-0383